

Attorney Docket No. 10112981

AUG 01 2005

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tzu En HO, Chih-Hao CHANG,  
Chang-Rong WU, Kuo-Hui SU

Filed: 10/10/2003

Appl. No.: 10/683,612

Examiner: Kennedy, Jennifer M

Conf. No.: 1827

Art Unit: 2812

Title: METHOD FOR FABRICATING SEMICONDUCTOR DEVICE HAVING  
STACKED-GATE STRUCTURE

Date: August 1, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Sir:

Responsive to the election requirement mailed on July 7, 2005, Applicant hereby elects the species covered by claims 1-10. Elected claims 1-10 relate to the single disclosed species shown in Figure 1c of the present application.

Non-elected claims 11-20 relate to the embodiment shown in 1c' of the present application.

Applicant's election is made without prejudice. As noted by the Examiner, upon allowance of a generic claim, Applicant will be entitled to consideration of claims to

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additional species which are written in dependent form or otherwise include all the limitations of the generic claim as provided by 37 CFR 1.141.

No fee is believed to be due in connection with this response. If, however, the Commissioner considers that a fee is due in connection with this response, authorization is made to charge any fee which may be required to Deposit Account No. **502447**.

A prompt and favorable action on the merits of this application is now respectfully requested.

**Certificate of Transmission**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent & Trademark Office to (703) 872-9306 on the date shown below:

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August 1, 2005

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Respectfully submitted,

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